

REMARKS

In the Office Action, the Examiner erroneously refers to the secondary document, Chatterjee *et al.*, by Patent Number US 6,430,538 B1. (See Final Office Action dated June 8, 2006, pg. 2). The intended citation is to Chatterjee *et al.* (US 5,774,661) as indicated by the Examiner from a previous telephone interview. Accordingly, the following comments are predicated on the foregoing clarification.

Claims 2-17, 19-26, 28 and 29 are currently pending in the subject application and are presently under consideration. Claims 2, 4, 11, 23 and 29 have been amended to further emphasize novel feature of applicants' claimed invention. A version of all pending claims is found at pages 2-7.

Favorable consideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 2-17, 19, 21-26 and 28-29 Under 35 U.S.C. §103(a)

Claims 2-17, 19, 21-26 and 28-29 stand rejected under 35 U.S.C. §103(a), as being unpatentable over Ohmura *et al.* (US 6,151,583) in view of Chatterjee *et al.* (US 5,774,661), and further in view of Du *et al.* (US 6,078,982). Withdrawal of this rejection is respectfully requested for at least the following reasons. Ohmura *et al.*, Chatterjee *et al.* and Du *et al.*, either alone or in combination, fail to teach or suggest each and every limitation set forth in the subject claims.

To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) ***must teach or suggest all the claim limitations***. See MPEP §706.02(j). The ***teaching or suggestion to make the claimed combination*** and the reasonable expectation of success ***must be found in the prior art and not based on the Applicant's disclosure***. See *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) (emphasis added).

Applicants' claimed invention relates to a computing workflow system having process definition represented in a workflow table. In particular, amended independent claim 2 (and similarly independent claims 4, 11, 17, 23 and 29) recites ***scanning all databases on the server for timeout workflow events and executing the timeout workflow events as due using a timeout agent***. Neither Ohmura *et al.* nor Chatterjee *et al.* teach or suggest this novel aspect of the invention as claimed.

Moreover, the Examiner concedes that Ohmura *et al.* and Chatterjee *et al.* are deficient in failing to teach or suggest the aforementioned novel aspect of the subject invention as recited in the subject independent claims, and thus attempts to utilize Du *et al.* to cure the deficiencies rendered by Ohmura *et al.* and Chatterjee *et al.* (See Office Action dated June 8, 2006, pg. 3). Du *et al.* discloses a system for allowing consistent execution of a workflow process in a computer-enabled workflow management system. (See Abstract). In particular, Du *et al.* notes that a first module is provided to lock all data items in the workflow process from being accessed by other workflow processes during execution of the workflow process and a second module is provided to release all locked data items after the workflow process has been executed. Thus, the execution consistency and concurrency of each workflow process is maintained. (See col. 2, ll. 41-49). Du *et al.* further discloses that a workflow process can be represented by a set of nodes including work nodes. (See col. 5, ll. 31-34). The work nodes represent activities to be performed external to the HP OpenPM engine. (See col. 5, ll. 51-53). Du *et al.* notes that each work node is a placeholder for a process activity and a process activity definition could include timeout and deadline information. (See col. 6, ll. 4-7). However, Du *et al.* is silent with regard to ***scanning all databases on the server for timeout workflow events and executing the timeout workflow events as due using a timeout agent*** as recited in amended independent claim 2 (and similarly in independent claims 4, 11, 17, 23 and 29). Thus, the timeout agent scans the server database and executes a timeout workflow event when the database indicates such a timeout workflow event is due. Du *et al.* fails to teach or suggest such claim aspects.

In view of at least the foregoing, it is readily apparent that Ohmura *et al.*, Chatterjee *et al.* and Du *et al.*, individually or in combination, fail to teach or suggest the subject invention as recited in independent claim 2 (and similarly in independent claims 4, 11, 17, 23 and 29). Accordingly, withdrawal of this rejection with respect to independent claims 2, 4, 11, 17, 23 and 29 (and associated dependent claims) is respectfully requested.

II. Rejection of Claim 20 Under 35 U.S.C. §103(a)

Claim 20 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Ohmura *et al.* in view of Chatterjee *et al.*, and further in view of Haverstock *et al.* (US 2002/0038357). This rejection should be withdrawn for at least the following reasons. Claim 20 depends from independent claim 17; and Haverstock *et al.* does not overcome the aforementioned deficiencies of Ohmura *et al.* and Chatterjee *et al.* with respect to independent claim 17. Accordingly, withdrawal of the rejection of claim 20 is respectfully requested.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP238US]

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN, TUROCY & CALVIN, LLP

/Himanshu S. Amin/

Himanshu S. Amin

Reg. No. 40,894

AMIN, TUROCY & CALVIN, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731